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1FW 1616

PTO/SB/21 (09-06)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

19 + 85
refs.

Application Number

09/847,945

Filing Date

May 2, 2001

First Named Inventor

Neil P. DESAI

Art Unit

1616

Examiner Name

S. Gollamudi

Attorney Docket Number

420052000127

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement
(Supplemental) (4 pages)☐ Certified Copy of Priority
Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication
to TC☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please
Identify below):Form PTO/SB/08a/b + duplicate
copy (14 pages)
Eighty-Five (85) References
Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

MORRISON & FOERSTER LLP (Customer No. 25226)

Signature

Printed name

Jian Xiao for Catherine M. Polizzi

Date

February 26, 2007

Reg. No.

55,748 for 40,130

I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 582593540 US, on the date shown below in an envelope addressed to:

MS Amendment, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Dated: February 26, 2007

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(Rosemarie Puljic-Salmeron)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 582593540 US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 26, 2007

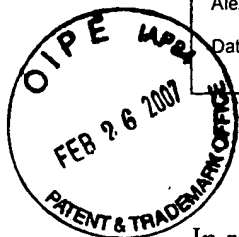
Signature:

Rosemarie Puljic-Salmeron
(Rosemarie Puljic-Salmeron)

Patent

Docket No. 420052000127

Client Reference No. ABI 1460 US3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Neil P. DESAI et al.

Serial No.: 09/847,945

Filing Date: May 2, 2001

For: COMPOSITIONS AND METHODS FOR
TREATMENT OF HYPERPLASIA

Examiner: S. Gollamudi

Group Art Unit: 1616

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

Copies of certain unpublished U.S. applications (documents 198 and 200-218) are not included herewith. This protocol conforms with the waiver of the requirement for submitting cited pending U.S. Patent Applications under 37 C.F.R. § 1.98. The Examiner is requested to make these documents of record in the instant application.

CN 1118136 is related to English-language publication WO 94/18954 cited on the attached Form PTO/SB/08a/b.

CN 1237901 is related to English-language publication WO 98/14174 cited on the attached Form PTO/SB/08a/b.

FR 2118987 is related to English-language publication U.S. 3,881,020 cited on the attached Form PTO/SB/08a/b.

WO 93/25195 is related to English-language publication U.S. 5,718,905 cited on the attached Form PTO/SB/08a/b.

Regarding commonly-owned U.S. Pub. No. 2007/0020337, the Examiner's attention is directed to ¶¶ [0007]-[0011] and [0022]. Regarding commonly-owned U.S. Pub. No. 2006/0121119, the Examiner's attention is directed to ¶¶ [0004]-[0010], [0013]-[0015], [0024] and [0039].

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.

- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
- ☐ A fee is required. A check in the amount of __ is enclosed.
- ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other

fees due in connection with the filing of this document to **Deposit Account No. 03-1952**
referencing 420052000127.

Dated: February 26, 2007

Respectfully submitted,

By 

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 7

Complete if Known

Application Number	09/847,945
Filing Date	May 2, 2001
First Named Inventor	Neil P. DESAI
Art Unit	1616
Examiner Name	S. Gollamudi
Attorney Docket Number	420052000127

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US-2002/0052518-A1	05-02-2002	Ali et al.	
	2.	US-2002/0082679-A1	06-27-2002	Sirhan et al.	
	3.	US-2005/0004002-A1	01-06-2005	Desai et al.	
	4.	US-2005/0058684-A1	03-17-2005	Shanley et al.	
	5.	US-2005/0163818-A1	07-28-2005	Sung et al.	
	6.	US-2006/0073175-A1	04-06-2006	Soon-Shiong et al.	
	7.	US-2006/0083782-A1	04-20-2006	Desai et al.	
	8.	US-2006/0121119-A1	06-08-2006	Zenoni et al.	
	9.	US-2006/0199248-A1	09-07-2006	Trieu et al.	
	10.	US-2006/0241170-A1	10-26-2006	Soon-Shiong et al.	
	11.	US-2006/0257326-A1	11-16-2006	Desai et al.	
	12.	US-2006/0263434-A1	11-23-2006	Desai et al.	
	13.	US-2007/0020337-A1	01-25-2007	Zenoni et al.	
	14.	US-2,671,750	03-09-1954	Macek	
	15.	US-3,881,020	04-29-1975	Nakamura et al.	
	16.	US-3,911,138	10-07-1975	Clark, Jr.	
	17.	US-4,107,288	08-15-1978	Oppenheim et al.	
	18.	US-4,147,767	04-03-1979	Yapel, Jr.	
	19.	US-4,225,581	09-30-1980	Kreuter et al.	
	20.	US-4,269,821	05-26-1981	Kreuter et al.	
	21.	US-4,540,602	09-10-1985	Motoyama et al.	
	22.	US-4,826,689	05-02-1989	Violanto	
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	25.	US-4,914,084	04-03-1990	Ecanow	
	26.	US-4,920,061	04-24-1990	Poynton et al.	
	27.	US-4,983,605	01-08-1991	Kondo et al.	
	28.	US-5,002,952	03-26-1991	Kondo et al.	
	29.	US-5,049,322	09-17-1991	Devissaguet et al.	
	30.	US-5,079,018-A	01-07-1992	Ecanow	
	31.	US-5,091,188-A	02-25-1992	Haynes	
	32.	US-5,118,528-A	06-02-1992	Fessi et al.	
	33.	US-5,124,338-A	06-23-1992	King	
	34.	US-5,188,837-A	02-23-1993	Domb	
	35.	US-5,308,620-A	05-03-1994	Yen	
	36.	US-5,362,478-A	11-08-1994	Desai et al.	
	37.	US-5,399,363-A	03-21-1995	Liversidge et al.	
	38.	US-5,505,932-A	04-09-1996	Grinstaff et al.	
	39.	US-5,508,021-A	04-16-1996	Grinstaff et al.	
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	41.	US-5,512,268-A	04-30-1996	Grinstaff et al.	
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	43.	US-5,560,933-A	10-01-1996	Soon-Shiong et al.	
	44.	US-5,565,188-A	10-15-1996	Wong et al.	
	45.	US-5,609,629-A	03-11-1997	Fearnott et al.	
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	47.	US-5,626,862-A	05-06-1997	Brem et al.	

Examiner Signature	Date Considered
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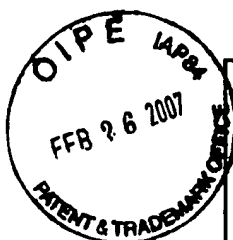
pa- 1132539



Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	09/847,945
				Filing Date	May 2, 2001
				First Named Inventor	Neil P. DESAI
				Art Unit	1616
				Examiner Name	S. Gollamudi
Sheet	2	of	7	Attorney Docket Number	420052000127

48.	US-5,635,207-A	06-03-1997	Grinstaff et al.	
49.	US-5,639,473-A	06-17-1997	Grinstaff et al.	
50.	US-5,648,361-A	07-15-1997	Holt et al.	
51.	US-5,650,156-A	07-22-1997	Grinstaff et al.	
52.	US-5,651,986-A	07-29-1997	Brem et al.	
53.	US-5,665,382-A	09-09-1997	Grinstaff et al.	
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55.	US-5,703,117-A	12-30-1997	Mayhew et al.	
56.	US-5,716,981-A	02-10-1998	Hunter et al.	
57.	US-5,718,905-A	02-17-1998	Skiba et al.	
58.	US-5,731,334-A	03-24-1998	Wrasidlo	
59.	US-5,731,355-A	03-24-1998	Jones et al.	
60.	US-5,744,460-A	04-28-1998	Müller et al.	
61.	US-5,766,635-A	06-16-1998	Spencehauer et al.	
62.	US-5,811,447-A	09-22-1998	Kunz et al.	
63.	US-5,824,049-A	10-20-1998	Ragheb et al.	
64.	US-5,834,025-A	11-10-1998	de Garavilla et al.	
65.	US-5,873,904-A	02-23-1999	Ragheb et al.	
66.	US-5,886,026-A	03-23-1999	Hunter et al.	
67.	US-5,897,879-A	04-27-1999	Friedman et al.	
68.	US-5,928,669-A	07-27-1999	Davis et al.	
69.	US-5,945,033-A	08-31-1999	Yen	
70.	US-5,981,568-A	11-09-1999	Kunz et al.	
71.	US-5,989,591-A	11-23-1999	Nagi	
72.	US-5,997,904-A	12-07-1999	Magdassi et al.	
73.	US-6,015,815-A	01-18-2000	Mollison	
74.	US-6,051,600-A	04-18-2000	Mayhew et al.	
75.	US-6,074,659-A	06-13-2000	Kunz et al.	
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79.	US-6,143,276-A	11-07-2000	Unger	
80.	US-6,204,054-B1	03-20-2001	Sutton et al.	
81.	US-6,239,124-B1	05-29-2001	Zenke et al.	
82.	US-6,268,390-B1	07-31-2001	Kunz	
83.	US-6,306,421-B1	10-23-2001	Kunz et al.	
84.	US-6,329,386-B1	12-11-2001	Mollison	
85.	US-6,358,989-B1	03-19-2002	Kunz et al.	
86.	US-6,392,063-B1	05-21-2002	Ali et al.	
87.	US-6,428,814-B1	08-06-2002	Bosch et al.	
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89.	US-6,458,373-B1	10-01-2002	Lambert et al.	
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91.	US-6,491,938-B2	12-10-2002	Kunz et al.	
92.	US-6,495,161-B1	12-17-2002	Soon-Shiong et al.	
93.	US-6,500,461-B2	12-31-2002	Perkins et al.	
94.	US-6,503,556-B2	01-07-2003	Harish et al.	
95.	US-6,515,009-B1	02-04-2003	Kunz et al.	
96.	US-6,528,067-B1	03-04-2003	Magdassi et al.	
97.	US-6,537,579-B1	03-25-2003	Desai et al.	
98.	US-6,540,776-B2	04-01-2003	Sanders Millare et al.	

Examiner Signature		Date Considered	
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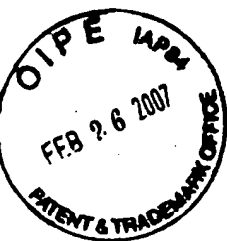


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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	09/847,945
				Filing Date	May 2, 2001
				First Named Inventor	Neil P. DESAI
				Art Unit	1616
				Examiner Name	S. Gollamudi
Sheet	3	of	7	Attorney Docket Number	420052000127

99.	US-6,544,544-B2	04-08-2003	Hunter et al.	
100.	US-6,565,842-B1	05-20-2003	Sojomihardjo et al.	
101.	US-6,569,441-B2	05-27-2003	Kunz et al.	
102.	US-6,585,764-B2	07-01-2003	Wright et al.	
103.	US-6,652,884-B2	11-25-2003	Falciani	
104.	US-6,656,504-B1	12-02-2003	Bosch et al.	
105.	US-6,663,881-B2	12-16-2003	Kunz et al.	
106.	US-6,689,803-B2	02-10-2004	Hunter et al.	
107.	US-6,720,350-B2	04-13-2004	Kunz et al.	
108.	US-6,730,313-B2	05-04-2004	Helmus et al.	
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111.	US-6,759,431-B2	07-06-2004	Hunter et al.	
112.	US-7,048,939-B2	05-23-2006	Elkins et al.	
113.	US-RE37,410-E	10-16-2001	Brem et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	114.	CN-1118136-A	03-06-1996	Clover Consolidated Ltd.	Translation of Abstract Only	
	115.	CN-1148957-A	05-07-1997	Zhang Hairu	Translation of Abstract Only	
	116.	CN-1237901-A	12-08-1999	Vivox Pharmaceuticals Inc.	Translation of Abstract Only	
	117.	DE-3722837-A1	01-19-1989	Ruetgerswerke AG	Translation of Abstract Only	
	118.	EP-0 233 559-A1, B1	08-26-1987	Ishihara Sangyo Kaisha Ltd. et al.		
	119.	EP-0 262 560-A2, A3	04-06-1988	Ishihara Sangyo Kaisha Ltd. et al.		
	120.	EP-0 411 629-A2, A3	02-06-1991	Tanabe Seiyaku Co., Ltd.		
	121.	EP-0 499 299-A2, A3, B1	08-19-1992	Sterling Winthrop Inc.		
	122.	EP-0 526 666-A1, B1, B2	02-10-1993	Gasco		
	123.	EP-0 584 001-A1, B1	02-23-1994	Bristol-Myers Squibb Company		
	124.	FR-2660556-A1	10-11-1991	Rhone Poulenc Sante	Translation of Abstract Only	
	125.	FR-2118987	08-04-1972	Sumitomo Chemical Co.		
	126.	GB-2185397-A	07-22-1987	Cosmas-Damian Ltd.		
	127.	GB-2200048-A	07-27-1988	Sandoz Ltd.		
	128.	JP-2-1403-A	01-05-1990	Green Cross Corp.	Translation of Abstract Only	
	129.	JP-2-282330-A	11-19-1990	Tokyo Tanabe Co.	Translation of Abstract Only	
	130.	WO-84/00294-A1	02-02-1984	Schröder		
	131.	WO-90/15593-A1	12-27-1990	Ytkemiska Institutet		
	132.	WO-91/06292-A1	05-16-1991	Danochemo A/S		

Examiner Signature		Date Considered	
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				First Named Inventor	Neil P. DESAI
				Art Unit	1616
				Examiner Name	S. Gollamudi
Sheet	4	of	7	Attorney Docket Number	420052000127

133.	WO-91/15193-A1	10-17-1991	Rhonepoulenc Rorer S.A.	Translation of Abstract Only	
134.	WO-92/03380-A1	03-05-1992	The University of Rochester		
135.	WO-93/25195-A1	12-23-1993	Centre National de la Recherche Scientifique	Translation of Abstract Only	
136.	WO-94/18954-A1	09-01-1994	Clover Consolidated, Limited		
137.	WO-95/03036-A1	02-02-1995	Angiogenesis Technologies, Inc.		
138.	WO-96/22474-A1	07-25-1996	The Timken Company		
139.	WO-96/24340-A1	08-15-1996	Nanosystems L.L.C.		
140.	WO-97/10849-A1	03-27-1997	Sam Yang Co., Ltd.		
141.	WO-98/07410-A1	02-26-1998	Vivorx Pharmaceuticals, Inc.		
142.	WO-98/14174-A1	04-09-1998	Vivorx Pharmaceuticals, Inc.		
143.	WO-98/14175-A1	04-09-1998	Vivorx Pharmaceuticals, Inc.		
144.	WO-99/00113-A1	01-07-1999	Vivorx Pharmaceuticals, Inc.		
145.	WO-00/06152-A1	02-10-2000	Novopharm Biotech, Inc.		
146.	WO-00/43045-A1	07-27-2000	Photogen, Inc.		
147.	WO-00/64437-A1	11-02-2000	American Biosciences Inc.		
148.	WO-00/71079-A2	11-30-2000	American Biosciences Inc.		
149.	WO-01/76567-A1	10-18-2001	Teva Pharmaceutical Industries Ltd.		
150.	WO-01/89522-A1	11-29-2001	American Bioscience Inc.		
151.	WO-02/085253-A1	10-31-2002	The Board of Trustees of the Leland Stanford Junior University		
152.	WO-02/087545-A1	11-07-2002	American Bioscience, Inc.		
153.	WO-2005/117952-A2, A3	12-15-2005	American Bioscience, Inc.		
154.	WO-2006/034147-A2, A3	03-30-2006	American Bioscience, Inc.		
155.	WO-2006/089207-A2	08-24-2006	American Bioscience, Inc.		

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials [*]	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	156.	Allen, T.M. (July 1994). "Long-circulating (Sterically Stabilized) Liposomes for Targeted Drug Delivery," <i>TIPS</i> 15(7):215-220.			
	157.	Anonymous. (2000). "The Growing Role of Stents in Coronary Artery Disease," located at < http://web.archive.org/web/20000526043202/http://webmd.lycos.com... >, last visited on February 9, 2007, 14 pages.			
	158.	Bodmeier, R. et al. (1988). "Solvent Selection in the Preparation of Poly(DL-Lactide) Microspheres Prepared by the Solvent Evaporation Method," <i>International Journal of Pharmaceutics</i> 43:179-186.			
	159.	Couvreur, P. et al. (September-December 1990). "Nanoparticles as Microcarriers for			

Examiner Signature		Date Considered	
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pa- 1132539



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				Examiner Name	S. Gollamudi
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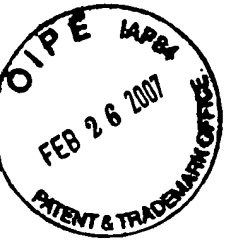
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Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	09/847,945
				Filing Date	May 2, 2001
				First Named Inventor	Neil P. DESAI
				Art Unit	1616
				Examiner Name	S. Gollamudi
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	203.	U.S. Patent Application No. 11/520,523 filed on September 12, 2006 for Desai et al.	
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	205.	U.S. Patent Application No. 11/544,242 filed on October 6, 2006 for Desai et al.	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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